

## House Bill 246

By: Representatives Hugley of the 133<sup>rd</sup>, Porter of the 143<sup>rd</sup>, Smyre of the 132<sup>nd</sup>, Ashe of the 56<sup>th</sup>, Murphy of the 120<sup>th</sup>, and others

## A BILL TO BE ENTITLED

## AN ACT

1 To amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to HOPE scholarships and grants, so as to provide for the creation of the  
3 HOPE Literacy Scholar Program; to provide for legislative findings and intent; to provide  
4 that the Department of Education, the board of regents, and local school systems shall  
5 develop a program to utilize college and university students who are receiving HOPE  
6 scholarships to assist in reading literacy programs in public pre-kindergarten, kindergarten,  
7 and elementary schools; to provide for that such students participating in the program who  
8 fail to meet grade requirements to maintain their HOPE scholarships shall receive an  
9 additional quarter or semester to meet such grade requirements; to provide for related  
10 matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,  
14 relating to HOPE scholarships and grants, is amended by revising Code Section 20-3-519.2,  
15 relating to eligibility requirements for a HOPE scholarship at a public postsecondary  
16 institution, as follows:

17 "20-3-519.2.

18 (a) To be eligible for a HOPE scholarship, an entering freshman student seeking an  
19 associate or baccalaureate degree at an eligible public postsecondary institution shall:

20 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
21 resident of Georgia as established by the program regulations promulgated by the Georgia  
22 Student Finance Commission which shall be based upon the in-state tuition policy of the  
23 board of regents and the in-state tuition guidelines set by the Department of Technical  
24 and Adult Education;

25 (2) Meet achievement standards by:

(A) Having graduated from an eligible high school while meeting the curriculum requirements of his or her program of study in 1993 or thereafter and meeting the requirements set out in the applicable subsection and paragraph of Code Section 20-2-157; or

(B) In the case of a student who is otherwise qualified but:

(i) Did not graduate from high school or complete a home study program meeting the requirements of subsection (c) of Code Section 20-2-690, having received the general educational development (GED) diploma awarded by the Georgia Department of Technical and Adult Education after June 30, 1993, provided that such student shall only be eligible for a HOPE scholarship pursuant to subsection (e) of this Code section;

(ii) Completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public postsecondary institution at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; or

(iii) Graduated from a high school which is not an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public postsecondary institution at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status.

(b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or baccalaureate degree at an eligible public postsecondary institution shall:

(1) Meet residency requirements by meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Department of Technical and Adult Education;

(2) Except as provided in Code Section 20-2-519.15, meet ~~Meet~~ achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution:

(i) At the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours if such student is a full-time student; or

(ii) At the end of three consecutive quarters or semesters if such student is a part-time student and has maintained part-time student status for three consecutive quarters or semesters; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status.

(c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate or first professional degree at a public postsecondary institution shall:

(1) Meet residency requirements by meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Department of Technical and Adult Education;

(2) Except as provided in Code Section 20-2-519.15, meet ~~Meet~~ achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution at the end of the quarter or semester in which the student has attempted 90 quarter hours or 60 semester hours; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a first professional degree student rather than an undergraduate student, being accepted into the first professional degree program of study prior to receiving a baccalaureate degree.

(d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate or a first professional degree at a public postsecondary institution shall:

(1) Meet residency requirements by meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Department of Technical and Adult Education;

(2) Except as provided in Code Section 20-2-519.15, meet ~~Meet~~ achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution at the end of the quarter or semester in which the student has attempted 135 quarter hours or 90 semester hours; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a first professional degree student rather than an undergraduate student, being accepted into the first professional degree program of study prior to receiving a baccalaureate degree.

(e)(1)(A) Except as provided in Code Section 20-2-519.15, a ~~A~~ full-time student who fails to maintain a cumulative grade point average of at least 3.0 at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours may attend the next 45 quarter or 30 semester hours without a HOPE scholarship. ~~An~~ Except as provided in Code Section 20-2-519.15, an otherwise eligible full-time student who regains a cumulative grade point average of at least 3.0 at the end of a quarter or semester in which the full-time student has attempted 90 or 135 quarter hours or 60 or 90 semester hours may requalify for a HOPE scholarship.

(B) Except as provided in Code Section 20-2-519.15, an ~~An~~ otherwise eligible part-time student who regains or attains a cumulative grade point average of at least 3.0 at the end of a quarter or semester in which the part-time student has attempted 45, 90, or 135 quarter hours or 30, 60, or 90 semester hours may attain or requalify for a HOPE scholarship.

(2) Except as provided in Code Section 20-2-519.15, in ~~in~~ addition to other requirements, and regardless of quarter hours or semester hours of coursework attempted, a student who fails to possess a cumulative grade point average of at least 3.0 at the end of each spring quarter or semester or at the end of three consecutive quarters or semesters for a part-time student pursuant to paragraph (2) of subsection (b) of this Code section shall be ineligible for a HOPE scholarship until such time as the student regains or attains a cumulative grade point average of at least 3.0 at one of the 45, 90, or 135 quarter hour grade point average checkpoints or at one of the 30, 60, or 90 semester hour grade point average checkpoints, at which time the student will regain or attain eligibility if other terms and conditions in this Code section are also satisfied.

(f) For students eligible for a HOPE scholarship under this Code section, no minimum number of hours of enrollment is required.

(g)(1) Except as set out in paragraph (2) of this subsection, a student may receive the HOPE scholarship until the first of these events:

(A) The student has earned a baccalaureate degree; or

(B) The student has attempted at any postsecondary institution a total of 190 quarter hours or 127 semester hours.

(2) A student enrolled in an undergraduate or first professional degree program designed to be more than 190 quarter hours or 127 semester hours in length is eligible to receive the HOPE scholarship for the lesser of:

(A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

(B) The number of hours required for graduation if the student has a cumulative grade point average of at least 3.0 after the term in which the student attempted 190 quarter hours or 127 semester hours.

(h)(1) Subject to the amounts appropriated by the General Assembly and provisions relating to the Lottery for Education Account in Code Section 50-27-13, a HOPE scholarship awarded under this Code section shall include tuition, approved mandatory fees, and a book allowance not to exceed \$100.00 per quarter or \$150.00 per semester, except as otherwise provided for in paragraphs (2) and (3) of this subsection.

(2) Effective beginning with the fall quarter or semester commencing after July 1, 2004, the amount of mandatory fees paid shall be equal to such amount or amounts that were paid on January 1, 2004, except as otherwise provided for in Code Section 50-27-13.

(3) Paragraph (2) of this subsection shall not apply to an eligible public postsecondary institution established by law on or after January 1, 2004. For any eligible public postsecondary institution established on or after January 1, 2004, the amount of the mandatory fees paid shall be equal to such amount or amounts initially approved for that new eligible public postsecondary institution for its first year of operation by action of the board of regents or the Department of Technical and Adult Education, as applicable, except as otherwise provided for in Code Section 50-27-13."

## SECTION 2.

Such part is further amended by revising Code Section 20-3-519.4, relating to eligibility requirements for a HOPE scholarship at a private postsecondary institution, as follows:

"20-3-519.3.

(a) To be eligible for a HOPE scholarship, an entering freshman student seeking an associate or baccalaureate degree at an eligible private postsecondary institution shall:

(1) Meet residency requirements by meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission;

(2) Meet achievement standards by:

(A) Having graduated from an eligible high school while meeting the curriculum requirements of his or her program of study in 1996 or thereafter and meeting the requirements set out in the applicable paragraph of subsection (b) of Code Section 20-2-157; or

(B) In the case of a student who is otherwise qualified but:

(i) Did not graduate from high school or complete a home study program meeting the requirements of subsection (c) of Code Section 20-2-690, having received the general educational development (GED) diploma awarded by the Georgia Department of Technical and Adult Education after June 30, 1993, provided that such student shall only be eligible for a HOPE scholarship pursuant to subsection (e) of this Code section;

(ii) Completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public postsecondary institution at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; or

(iii) Graduated from a high school which is not an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public postsecondary institution at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; and

(3) Meet enrollment standards by:

(A) Being admitted, enrolled, and classified as an undergraduate student in a matriculated status; and

(B) Being registered for and attending classes as at least a half-time student for 14 days or more after the last day of the institution's drop and add period.

(b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or baccalaureate degree at an eligible private postsecondary institution shall:

(1) Meet residency requirements by meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission;

(2) Except as provided in Code Section 20-3-519.15, meet ~~Meet~~ achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution:

(i) At the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours if such student is a full-time student; or

(ii) At the end of three consecutive quarters or semesters if such student is a half-time student and has maintained part-time student status for three consecutive quarters or semesters; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by:

(A) Being admitted, enrolled, and classified as an undergraduate student in a matriculated status; and

(B) Being registered for and attending classes as at least a half-time student for 14 days or more after the last day of the institution's drop and add period.

(c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate or first professional degree at an eligible private postsecondary institution shall:

(1) Meet residency requirements by meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission;

(2) Except as provided in Code Section 20-3-519.15, meet ~~Meet~~ achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution at the end of the quarter or semester in which the student has attempted 90 quarter hours or 60 semester hours; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by:

(A) Being admitted, enrolled, and classified as an undergraduate student in a matriculated status or provided that in the case of an otherwise eligible student who is classified as a first professional degree student rather than an undergraduate student,

1 have been accepted into the first professional degree program of study prior to receiving  
2 a baccalaureate degree; and

3 (B) Being registered for and attending classes as at least a half-time student for 14 days  
4 or more after the last day of the institution's drop and add period.

5 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate or first  
6 professional degree at an eligible private postsecondary institution shall:

7 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
8 resident of Georgia as established by the program regulations promulgated by the Georgia  
9 Student Finance Commission;

10 (2) Except as provided in Code Section 20-3-519.15, meet ~~Meet~~ achievement standards  
11 by meeting the following criteria:

12 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary  
13 institution at the end of the quarter or semester in which the student has attempted 135  
14 quarter hours or 90 semester hours; and

15 (B) Maintaining satisfactory academic progress in a course of study in accordance with  
16 the standards and practices used for federal Title IV programs by the postsecondary  
17 institution in which the student is enrolled; and

18 (3) Meet enrollment standards by:

19 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
20 matriculated status or, in the case of an otherwise eligible student who is classified as  
21 a first professional degree student rather than an undergraduate student, being accepted  
22 into the first professional degree program of study prior to receiving a baccalaureate  
23 degree; and

24 (B) Being registered for and attending classes as at least a half-time student for 14 days  
25 or more after the last day of the institution's drop and add period.

26 (e)(1)(A) Except as provided in Code Section 20-3-519.15, an ~~An~~ otherwise eligible  
27 full-time student who fails to maintain a cumulative grade point average of at least 3.0  
28 at the end of the quarter or semester in which the student has attempted 45 quarter hours  
29 or 30 semester hours may attend the next 45 quarter hours or 30 semester hours without  
30 a HOPE scholarship. ~~A~~ Except as provided in Code Section 20-3-519.15, a full-time  
31 student who regains a cumulative grade point average of at least 3.0 at the end of the  
32 quarter or semester in which the full-time student has attempted 90 quarter hours or 60  
33 semester hours may requalify for a HOPE scholarship. ~~A~~ Except as provided in Code  
34 Section 20-3-519.15, a full-time student who regains a cumulative grade point average  
35 of at least 3.0 at the end of the quarter or semester in which the full-time student has  
36 attempted 135 quarter hours or 90 semester hours may requalify for a HOPE  
37 scholarship.



(B) Except as provided in Code Section 20-3-519.15, an otherwise eligible half-time student who regains or attains a cumulative grade point average of at least 3.0 at the end of a quarter or semester in which the half-time student has attempted 45, 90, or 135 quarter hours or 30, 60, or 90 semester hours may attain or requalify for a HOPE scholarship.

(2) Except as provided in Code Section 20-3-519.15, in addition to other requirements, and regardless of quarter or semester hours of coursework attempted, a student who fails to possess a cumulative grade point average of at least 3.0 at the end of each spring quarter or semester or at the end of three consecutive quarters or semesters for a half-time student pursuant to paragraph (2) of subsection (b) of this Code section shall be ineligible for a HOPE scholarship until such time as the student regains or attains a cumulative grade point average of at least 3.0 at one of the 45, 90, or 135 quarter hour grade point average checkpoints or at one of the 30, 60, or 90 semester hour grade point average checkpoints, at which time the student will regain or attain eligibility if other terms and conditions in this Code section are also satisfied.

(f)(1) Except as set out in paragraph (2) of this subsection, a student may receive a HOPE scholarship until the first of these events:

(A) The student has earned a baccalaureate degree; or

(B) The student has attempted at any postsecondary institution a total of 190 quarter hours or 127 semester hours.

(2) A student enrolled in an undergraduate or first professional degree program designed to be more than 190 quarter hours or 127 semester hours in length is eligible to receive a HOPE scholarship for the lesser of:

(A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

(B) The number of hours required for graduation if the student has a cumulative grade point average of at least 3.0 after the term in which the student attempted 190 quarter hours or 127 semester hours.

(g)(1) Except as provided for in paragraph (2) of this subsection, subject to the amounts appropriated by the General Assembly and provisions relating to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE scholarship awarded under this Code section shall be not less than \$3,000.00 for any academic year.

(2) Effective beginning with the fall quarter or semester commencing after July 1, 2004, subject to the amounts appropriated by the General Assembly and provisions relating to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE scholarship awarded under this Code section shall be not less than \$1,500.00 for half-time enrollment and \$3,000.00 for full-time enrollment for any academic year."

**SECTION 3.**

Such part is further amended by adding a new Code Section 20-3-519.15 to read as follows:

"20-3-519.15.

(a) The General Assembly finds that:

(1) There is a need to prevent or minimize continued early reading failure in Georgia and to reduce the effect of inadequate literacy skills in the performance of Georgia's children as a group;

(2) Improved literacy skills will directly improve the educational attainment of Georgia's children and ultimately their economic future and the economic future of Georgia;

(3) Literacy skills of young students can be improved through the provision of available, well-trained tutors in addition to creating a more favorable atmosphere for learning with more time on task and more opportunities to read and receive immediate, positive, and corrective feedback to help the young student stay on track; and

(4) A program of such tutors can assist in closing achievement gaps among students early and in educational success that will reduce the number of dropouts and increase the number of college graduates in this state.

(b) The Department of Education and the board of regents in cooperation with local school systems shall develop and implement the HOPE Literacy Scholar Program. The program shall be designed to give college students who are receiving HOPE scholarships training in early reading and reading readiness skills to allow such students to tutor children in pre-kindergarten, kindergarten, and grades one through four. HOPE scholars who enroll in the program shall commit to volunteering in public pre-kindergarten, kindergarten, and elementary schools for not less than 20 hours per quarter or 30 hours per semester as a reading mentor to help deliver an appropriately designed reading comprehension curriculum, working one-on-one or in small groups with young students.

(c) Each student who accepts a HOPE scholarship shall be given the option of enrolling in the HOPE Literacy Scholar Program. After completing the specialized reading comprehension training program in early reading and reading readiness skills, the student shall be certified as a reading mentor and shall be assigned to a public pre-kindergarten, kindergarten, or elementary school. The public pre-kindergarten, kindergarten, or elementary school shall maintain records of the student's attendance and hours spent as a reading mentor and shall report such hours and attendance to the student's educational institution each quarter or semester, as appropriate, for that institution.

(d) A student who is enrolled in the HOPE Literacy Scholar Program, who volunteered at least 20 hours per quarter or 30 hours per semester in the quarter or semester preceding such student's being reviewed for the continuation of his or her HOPE scholarship under Code Section 20-2-519.2 or 20-2-519.3, and who does not have a cumulative grade point

1 average of at least 3.0 shall receive an additional quarter or semester, as appropriate, to  
2 bring his or her cumulative grade point average to at least 3.0 prior to losing his or her  
3 HOPE scholarship, provided that such student has a cumulative grade point average of at  
4 least 2.5. The extension provided in this subsection may be used only once.

5 (e) The Department of Education and the board of regents shall report to the General  
6 Assembly not later than December 31 of each year on the effectiveness of the program and  
7 the need, if any, for further legislation. Such report shall be delivered to the presiding  
8 officer of each house of the General Assembly and the chairpersons of the education and  
9 higher education committees in each house of the General Assembly.

10 (f) The Department of Education, the board of regents, and the Georgia Student Finance  
11 Commission are authorized to promulgate rules and regulations as necessary to implement  
12 this program."

#### 13 **SECTION 4.**

14 All laws and parts of laws in conflict with this Act are repealed.